

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MATTHEW YOUNG,

Petitioner,

v.

WARDEN HDSP, et al.

Respondents.

Case No. 2:23-cv-01280-ART-BNW

**Order Directing Petitioner to
Submit Application to Proceed *In
Forma Pauperis* or Pay Filing Fee**

Matthew Young has submitted a *pro se* petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254. (ECF No. 1-1.) He has not, however, either paid the \$5.00 filing fee or submitted a completed application to proceed *in forma pauperis* with the required inmate account statements for the past sixth months and financial certificate. 28 U.S.C. § 1915(a)(2); Local Rule LSR1-2.

This action therefore is subject to dismissal without prejudice as improperly commenced. However, it is unclear from the papers presented whether a dismissal without prejudice will materially affect a later analysis of any timeliness issue with respect to a new action.

It is therefore ordered that within **30 days** of the date of this order Petitioner must submit either the \$5.00 filing fee or a fully completed application to proceed *in forma pauperis*.

1 It is further ordered that failure to do so may result in the dismissal of
2 this action without prejudice.

3 It is further ordered that the Clerk of Court retain the petition but not file
4 it at this time.

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6 DATED THIS 16th day of October 2023.

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9 ANNE R. TRAUM
10 UNITED STATES DISTRICT JUDGE
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